

PROB 12C
DMT Rev 01-17

**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MONTANA**

FILED

JUN 18 2018

Petition for Warrant for Offender Under Supervision

Clerk, U.S. Courts
District Of Montana
Missoula Division

Name of Offender: Joseph Franklin Reynolds

Docket Number: 0977 2:12CR00007-001

Name of Sentencing Judicial Officer: THE HONORABLE DANA L. CHRISTENSEN
CHIEF UNITED STATES DISTRICT JUDGE

Date of Original Sentence: 12/07/2012

Original Offense: 18:1470.F; TRANSFER OF OBSCENE MATERIALS TO MINORS, 18:2252A.F;
ACTIVITIES RELATING TO MATERIAL CONSTITUTING OR CONTAINING CHILD
PORNOGRAPHY

Original Sentence: 60 months custody, 120 months supervised release

Date of Revocation: February 23, 2018

Revocation Sentence: 3 months Bureau of Prisons; 117 months Supervised Release

Type of Supervision: Supervised Release

Date Supervision Commenced: 04/06/2018

Assistant U.S. Attorney: Cyndee Peterson
PO Box 8329, Missoula, MT 59807, (406) 542-8851

Defense Attorney: John Rhodes
Federal Defenders Office, 125 Bank St, Suite 710, Missoula, MT 59802, (406) 721-6749

PETITIONING THE COURT

Background

On 12/07/2012, the defendant appeared for sentencing before THE HONORABLE DANA L. CHRISTENSEN, CHIEF UNITED STATES DISTRICT JUDGE, having pled guilty to the offenses of 18:1470.F; TRANSFER OF OBSCENE MATERIALS TO MINORS, 18:2252A.F; ACTIVITIES RELATING TO MATERIAL CONSTITUTING OR CONTAINING CHILD PORNOGRAPHY. The offense involved the defendant soliciting nude photographs from minor aged females by acting as the owner of a cell phone he found. The defendant was sentenced to 60 months custody, followed by 120 months supervised release.

On 07/24/2017, a report was submitted requesting a modification of the defendant's supervision conditions to comport with the current standard language. At that time, it was also reported the defendant had possessed pornographic materials, missed one session of his sex offender treatment group, and was fired from his employment for failing to notify his employer of a pending absence.

On 01/10/2018, a Petition for Warrant for Offender Under Supervision was filed with the Court alleging the defendant violated his supervised release by failing to participate in substance abuse treatment, ingesting marijuana, being suspended from sex offender treatment, and committing

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the crime of Criminal Mischief. On 02/23/2018, the defendant's supervised release was revoked and he was sentenced to three months custody on Counts four and five concurrent, followed by 33 months supervised release on Count four and 117 months on Count five, concurrent. The defendant began the current term of supervised release on 04/06/2018.

Since that time, the probation officer believes the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	Mandatory condition: You must not unlawfully possess a controlled substance.

2	Mandatory condition: You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
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The defendant reported to the probation office on 06/18/2018 and submitted a urine sample for testing. The sample returned positive for the presence of marijuana. The defendant admitted verbally and in writing to consuming marijuana on or about June 16 and 17, 2018.

3	Special condition: The defendant shall abstain from the consumption of alcohol and shall not enter establishments where alcohol is the primary item of sale.
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On 06/16/2018, the undersigned officer received information from the Helena Police Department which indicated they were dispatched to the defendant's residence after a report of loud music. When officers arrived on scene, the defendant was located in the residence and cited for Unlawful Transactions with Children (x2), Social Host Violation, and Endangering the Welfare of a Child (x3). The defendant admitted to the undersigned officer both verbally and in writing to consuming alcohol on said date. The defendant admitted to consuming four beers and three to four shots of rum.

AFFIDAVIT AND PETITION PRAYING THAT THE COURT WILL ORDER A WARRANT BE ISSUED

In conformance with the provision of 28 U.S.C. § 1746, I declare, under penalty of perjury, that the foregoing is true and correct to the best of my knowledge. Based on the information presented that the offender has violated conditions of supervision, I am petitioning the Court to issue a warrant.

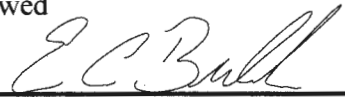
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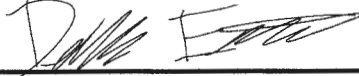
By:



Eric C. Buehler
Supervising United States Probation
Officer
Date: 06/18/2018

Respectfully Submitted

By:



Derek Estep
United States Probation Officer

Date: 06/18/2018

ORDER OF COURT

I find there is probable cause to believe the offender has violated conditions of supervision, supported by the above affirmation given under penalty of perjury. The Court orders the issuance of a warrant. Considered and ordered this 18th day of June, 2018, and ordered filed **UNDER SEAL** and made a part of the records in the above case.

IT IS FURTHER ORDERED that upon notification to the Clerk of Court's Office that the above named Defendant has been taken into custody the Petition for Warrant or Summons for Offender Under Supervision shall be unsealed.



Dana L Christensen

Chief United States District Judge

6/18/2018

Date